

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Melanie van Kampen,)	C/A No. 4:18-964-HMH-TER
)	
Plaintiff,)	
vs.)	ORDER
)	
Beaufort County Detention Center,)	
)	
Defendant.)	
_____)	

This is a civil action filed by a former pretrial detainee. This case is before the Court due to Plaintiff's failure to comply with the magistrate judge's orders to bring this case into proper form. (ECF Nos. 6, 15). While there were some mailing address problems initially (ECF Nos. 9, 10), the first proper form order was remailed to an address on May 4, 2018, which did not return undeliverable. After no response to the first order, as a matter of caution, a second proper form order was filed on June 4, 2018. (ECF No. 15). The second proper form order also did not return undeliverable.

The mail in which the Orders were sent to Plaintiff's provided address has not been returned to the court, thus it is presumed that Plaintiff received the Orders, but has neglected to comply within the time permitted under the Orders. The Court has not received any response from Plaintiff and the time for her compliance has passed. A review of the record indicates that the magistrate judge ordered Plaintiff to submit items needed to render this case into proper form and specifically informed Plaintiff that if she failed to do so, this case would be subject to dismissal.

Plaintiff's lack of response to the Orders indicates an intent to not prosecute this case, and subjects this case to dismissal. *See* Fed. R. Civ. P. 41(b)(district courts may dismiss an action if a Plaintiff fails to comply with an order of the court); *see also Ballard v. Carlson*, 882 F.2d 93, 95 (4th

Cir. 1989)(dismissal with prejudice appropriate where warning given); *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir. 1982)(court may dismiss *sua sponte*).

Accordingly, this case is dismissed without prejudice. The Clerk of Court shall close the file.

IT IS SO ORDERED.

Greenville, South Carolina
July 9, 2018

s/Henry M. Herlong, Jr.
Senior United States District Judge

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.